

Key changes at a glance

Only applies to cases concerning environmental and social (E&S) issues, not access to information cases

Section/ Phase	Key changes
Mandate	<ul style="list-style-type: none"> • <u>Sharpened mandate</u>: resolution of complaints, facilitate access to remedy, institutional source of learning
Scope	<ul style="list-style-type: none"> • <u>More focused mechanism admitting the following types of complaints</u>: environmental and social (E&S) and access to information (A2I) • Other types of complaints will be addressed to the Inspectorate General
Admissibility	<ul style="list-style-type: none"> • <u>Clearer timeline for submission</u>: the current, ambiguous one-year deadline is no longer a criterion; complainants can file a complaint up to 24 months after the project is finalized or 24 months after the end of the EIB's financial relationship in the project • <u>Allegations</u>: <ul style="list-style-type: none"> - Individuals can file a complaint provided they allege a direct or indirect negative impact (actual or potential) - Following best practice, in case of environmental concerns, NGOs can still file complaints without the need to represent affected people

Approx. 10 business days (to be confirmed in Procedures)

<p>Screening</p>  <p>Approx. 15 business days (to be confirmed in Procedures)</p>	<p><u>Efficient traffic light system:</u></p> <ul style="list-style-type: none"> • The complainants' choice between early resolution, dispute resolution (DR) and compliance will be the driving factor • Some cases will be transferred to the Services for an “early resolution” process, if Services and complainants agree and if this is seen as the most efficient way to facilitate remedy
<p>Early Resolution</p>  <p>Max 6 months (max 2 months for A2I cases)</p>	<p><u>Increased efficiency:</u></p> <ul style="list-style-type: none"> • With the complainants’ consent, early resolution allows Services to address issues promptly whenever the alleged impacts are clearly identified and can be addressed in the timeframe set by the CM, there is no apparent retaliation risk, and the issues are neither structural nor involve human rights violations • If not successful, the complaint is transferred to Compliance assessment or DR assessment
<p>Initial DR Assessment</p>  <p>Max 60 business days</p>	<p><u>Efficient assessment of DR potential:</u></p> <ul style="list-style-type: none"> • Clear step to assess feasibility and suitability for DR, including parties’ willingness

<p>DR process</p> <p>18 months + 6 months if justified</p>	<p><u>Clearer description of the DR process:</u></p> <ul style="list-style-type: none"> • DR is presented at par with Compliance and there is a clear description of the DR process, its principles, and limitations • To support DR efforts, services may be invited to participate or act as observer where appropriate
<p>DR Monitoring</p> <p>18 months (extendable)</p>	<p><u>Clearer DR Monitoring mandate:</u></p> <ul style="list-style-type: none"> • The monitoring mandate in case of DR is clearly mentioned and there is a provision for regular monitoring reports
<p>Initial Compliance Assessment</p>  <p>Max 60 business days</p>	<p><u>Efficient preliminary review of cases:</u></p> <ul style="list-style-type: none"> • Step to assess if an investigation is justified, based on preliminary indications of negative impact and that the complainant is affected by said impact; preliminary indications of non-compliance; plausible link between negative impact and non-compliance
<p>Compliance Review</p> <p>140 business days (70 business days for A2I cases)</p>	<ul style="list-style-type: none"> • <u>Focus on impacts on complainants, rather than on EIB maladministration:</u> Focuses on assessing negative impacts, analysing related compliance with relevant policies and procedures at the project level, and if relevant, compliance of EIB with relevant policies and procedures • <u>Faster internal review process of Compliance reports:</u> Compliance report will be shared with Services, Complainants and Promoter for review before finalizing; no consultation with the Services required; the CM takes reviews into account and finalises the report
<p>Services Response and Action Plan (SRAP)</p>	<p><u>Shifts responsibility of drafting an action plan onto the Services:</u> clear definition of responsibilities for the actions to address any non-compliances. The Policy introduces the SRAP:</p> <ul style="list-style-type: none"> • To be drafted by EIB services in response to the CM conclusions

 <div data-bbox="127 379 465 501" style="border: 1px solid black; background-color: blue; color: white; padding: 5px; text-align: center;"> 60 + 20 + 20 business days </div>	<ul style="list-style-type: none"> Complainants will be consulted on the SRAP If CM considers that the SRAP is not adequate to address its conclusions, it will be escalated to the Management Committee and Board will be informed
<p>Compliance Monitoring</p> <div data-bbox="143 587 477 691" style="border: 1px solid black; background-color: blue; color: white; padding: 5px; text-align: center;"> Until full implementation </div>	<p><u>Clearer Compliance monitoring mandate:</u></p> <ul style="list-style-type: none"> Clear stipulations on the monitoring mandate for compliance cases, semi-annually and transparent
<p>Advisory</p>	<p><u>Strengthened Advisory function:</u></p> <ul style="list-style-type: none"> Issuance of advisory products which will be published on a case-by-case basis Management Committee and EIBG Boards may request advisory products
<p>Outreach</p>	<p><u>Outreach recognized as a function of CM:</u></p> <ul style="list-style-type: none"> Outreach strategy to be developed and disclosed on its website
<p>Reporting</p>	<p><u>Confirmation of Board reporting:</u></p> <ul style="list-style-type: none"> EIBG Boards will be kept updated every 6 months on CM activities
<p>Cooperation with other IAMs</p>	<p><u>Clear reference to mutual reliance agreements:</u></p> <ul style="list-style-type: none"> Provides for possibility to enter into mutual reliance agreements with other IAMs